

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

MICHAEL SCHMITT dba Michael
Schmitt Photography, an individual,

Civil No. 09-380-HU

Plaintiff,

O R D E R

v.

VAG GROUP, INC., a foreign corporation
and VAG Performance, LLC, a foreign limited
liability company,

Defendants.

Michael K. Heilbronner
Idea Legal, PC
121 S.W. Morrison, Suite 1020
Portland, Oregon 97204

Eli Mark
Morvillo, Abramowitz, Grand, Iason, Anello
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565 Fifth Avenue
New York, New York 10017

Attorneys for Plaintiff

KING, Judge:

The Honorable Dennis J. Hubel, United States Magistrate Judge, filed Findings and Recommendation on August 12, 2010. Plaintiff filed timely objections to the Findings and Recommendation.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the rulings of Magistrate Judge Hubel.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Hubel (#36) dated August 12, 2010 in its entirety.

IT IS HEREBY ORDERED that Plaintiff's Motion for Attorney Fees (#29) is granted in part. Plaintiff is awarded \$5,650.00 in fees and \$515.65 in costs.

DATED this 21st day of September, 2010.

/s/ Garr M. King

GARR M. KING
United States District Judge